

Message Text

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ACTION EA-14

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R 130930Z SEP 73

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC 7036

INFO AMEMBASSY BANGKOK

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AMEMBASSY JAKARTA

USDEL JEC PARIS

AMEMBASSY PHNOM PENH

AMEMBASSY TEHRAN

AMEMBASSY WARSAW

AMEMBASSY VIENTIANE

C O N F I D E N T I A L SAIGON 16345

E.O. 11652: GDS

TAGS: PFOR VS

SUBJ: HANOI REPLY TO US AND GVN NOTES ON COMMUNIST AIRFIELD

BUILDUP IN SOUTH VIETNAM

REF: FBIS BANGKOK D121611 SEP 73

1. WE ARE STRUCK WITH THESE FEATURES OF DRV FONMIN SPOKESMAN'S
COMMENTS CONTAINED REF BROADCAST:

2. WHILE REPEATING WITH REASONABLE ACCURACY THE GIST OF
THE GVN AND US NOTES, THE STATEMENT MAKES NO ATTEMPT TO
DENY OUR CHARGES OF AN AIRFIELD BUILD-UP AND OUR CLAIM THAT
IN CONNECTION WITH THIS BUILD-UP THE DRV HAS VIOLATED
ARTICLE 7 OF THE PARIS AGREEMENT. THESE CHARGES ARE
SWEEPINGLY DISPOSED OF AS "SLANDEROUS" ARGUMENTS AND ALLEGATIONS
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WITH NO REFUTATION OF THE FACTS WE ADDUCED. THE DISCERNING

READER WILL SEE IN THIS HANOI'S TACIT ADMISSION THAT THE FACTS
CITED IN THE GVN AND US NOTES ARE TRUE.

3. HANOI'S STATEMENT MAKES NO REFERENCE TO THE AERIAL
PHOTOGRAPHY THE GVN HAS RELEASED AS EVIDENCE OF THE BUILD-UP
IN THE 12 AIRFIELDS LISTED. THIS AGAIN REVEALS HANOI'S TACIT
ACCEPTANCE OF OUR CHARGES.

4. THE STATEMENT ATTEMPTS CLUMSILY TO ESTABLISH THAT "FROM THE
LEGAL AS WELL AS THE PRACTICAL VIEWPOINT" THE PRG ENJOYS SOME
FORM OF QUASI-SOVEREIGNTY (IS THE "SOLE AUTHORITY") IN ITS
AREAS OF CONTROL, EXTENDING TO THE RIGHT TO DEFEND PRG AIRSPACE
AND TERRITORIAL WATERS. HOWEVER, IT FALLS SHORT OF CLAIMING
THAT THE PRG IS A FULLY SOVEREIGN GOVERNMENT WITH ALL THAT
WOULD IMPLY.

5. IN THE STATEMENT HANOI DOES NOT CHALLENGE THE GVN CLAIM
TO AIRSPACE SOVEREIGNTY. IT SIMPLY AVERS THAT THE GVN CLAIM TO
SOLE "CONTROL" OF SOUTH VIETNAMESE AIRSPACE AND TERRITORIAL
WATERS IS "EXTREMELY LUDICROUS" AND "TOTALLY ILLEGAL."
(HOWEVER, SUBSEQUENTLY NHA DAN HAS ATTACKED THE GVN CLAIM
TO SOVEREIGNTY BASED ON THE 1954 GENEVA ACCORDS, WHILE
SAYING NOTHING OF THE GVN CLAIM TO BEING SOVEREIGN IN SVN UNDER
INTERNATIONAL LAW).

6. IN SUM, THE STATEMENT STRIKES US AS TEMPORIZING AND
DEFENSIVE. IT MAINTAINS THE RIGHT OF THE PRG TO BUILD AND
DEFEND AIRFIELDS BUT SHRINKS FROM CLEARLY ASSERTING A RIGHT TO
USE THE AIRFIELDS OR TO INTRODUCE AIRCRAFT INTO SOUTH VIETNAM.
HANOI IN THIS MESSAGE THUS DOES NOT APPEAR TO SEEK A
CONFRONTATION WITH THE GVN OR OURSELVES OVER THESE ISSUES.
WHETHER THIS REFLECTS A FIRM POLICY DECISION IS OF COURSE
IMPOSSIBLE TO SAY.
APPLING

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